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**ATTORNEY FOR**  
**UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION**

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<p><b>UNITED STATES OF AMERICA, <i>ex rel.</i> BNSF RAILWAY COMPANY,</b></p> <p style="text-align: center;"><b>Plaintiff/Relator,</b></p> <p style="text-align: center;"><b>vs.</b></p> <p><b>THE CENTER FOR ASBESTOS RELATED DISEASE, INC.,</b></p> <p style="text-align: center;"><b>Defendant.</b></p>	<p><b>CV 19-40-M-DLC</b></p> <p><b>THE UNITED STATES' MOTION IN LIMINE</b></p>
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The United States, through Assistant U.S. Attorney Michael A. Kakuk, submits this request to preclude any argument that legal or policy statements made in fact witness Heather Hillmann's 30(b)(6) deposition are the policy or position of the Social Security Administration. If such statements are allowed at trial, the government also requests a jury instruction limiting the effect of those statements.

The United States contacted counsel for both parties. Both BNSF and CARD have reserved their positions until they can review the motion in its entirety.

**DATED** this 1st day of June, 2023.

JESSE A. LASLOVICH  
United States Attorney

/s/ Michael A. Kakuk  
Assistant U.S. Attorney  
Attorney for the United States